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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,914	08/10/2001	Timothy P. Tully	21RE-137270	5180
68850 7590 09/10/2010				
DON J. PELTO				
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11TH FLOOR EAST				
WASHINGTON, DC 20005				
EXAMINER				
CHONG, YONG SOO				
ART UNIT		PAPER NUMBER		
1627				
MAIL DATE		DELIVERY MODE		
09/10/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No.		Applicant(s)	
	09/927,914		TULLY ET AL.	
	Examiner		Art Unit	
	Yong S. Chong		1627	

All Participants:

(1) Yong S. Chong.

(2) Mr. Don Pelto.

Date of Interview: 9 September 2010

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

no

Claims discussed:

all pending

Prior art documents discussed:

no

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Yong S. Chong/
Primary Examiner, Art Unit 1627

Status of Application: _____

(3) _____

(4) _____

Time: 3:15 pm

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Upon the conclusion of the pre-appeal conference, several minor issues needs to be addressed before the case is sent to the Board. In particular, Applicant was notified of an issue with claim 8, which recites that all PDE4 inhibitors induce CREB-dependent gene expression. This may be in error as the specification appears to only state that only the augmenting agent, modulators of protein kinases and protein phosphatases mediate CREB-dependent gene expression (last paragraph of page 18). Applicant was asked if it is known in the art that all PDE4 inhibitors induce CREB-dependent gene expression. If this is not the case, Applicant is encouraged to cancel claim 8 in order to simplify all issues to the Board and to expedite prosecution. There are other minor claim amendments that are necessary that was communicated to the Applicant. Examiner will enter the necessary claim amendments after final if the Applicant agrees to make these changes. Examiner awaits an answer. .